IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

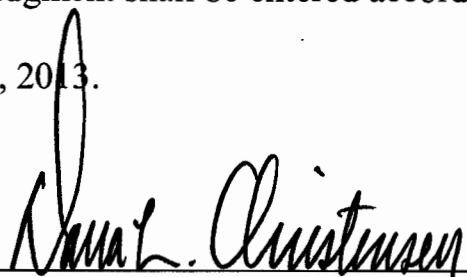|	
UNITED STATES OF AMERICA, Plaintiff, vs. JORDAN LEWIS PATRICK WING, Defendant.	CR 09-97–GF–DLC ORDER

This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on July 19, 2013. Defendant admitted he had violated Special Condition 1 by failing to abide by the rules and regulations of the Residential Re-entry Facility where he resided. Judge Strong found the admission sufficient to establish the supervised release violation. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of 18 months, with no supervised release to follow. No objections were filed by either party. Judge Strong's findings and recommendations are therefore reviewed for clear error.

McDonnell Douglas Corp. Commodore Bus. Mach, Inc., 656 F.2d 1309, 1319 (9ᵗʰ Cir. 1981).

This Court agrees with Judge Strong's findings. Defendant admitted that he violated Special Condition 1. Defendant could be imprisoned up to 24 months, and could be required to serve up to 30 months on supervised release, less any custodial time imposed. The United States Sentencing Guidelines call for 3 to 9 months imprisonment. This Court agrees that a sentence of 18 months in custody followed by no supervised release is appropriate as this is Defendant's second revocation, he has admitted violating the terms of his supervised release in a flagrant manner, and the previous and current supervised release violations demonstrate that supervised release is not effective.

IT IS ORDERED that Judge Strong's Findings and Recommendations (doc. 54) are ADOPTED in full and Judgment shall be entered accordingly.

Dated this __8ᵗʰ__ day of August, 2013.

Dana L. Christensen, Chief Judge
United States District Court